

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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KEVIN RAMSEY,

Plaintiff,

Civil Action No. 09-0348

v.

MICHAEL J. ASTRUE,  
COMMISSIONER  
OF SOCIAL SECURITY,

**CONSENT ORDER TO  
REMAND PURSUANT TO  
SENTENCE 4 OF  
42 U.S.C. §405(g)**

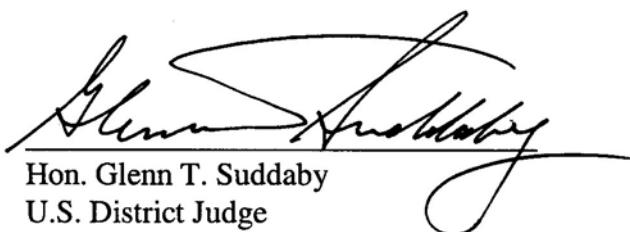
Defendant.

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This matter having been opened to the Court by ANDREW T. BAXTER, Interim United States Attorney for the Northern District of New York, and Sixtina Fernandez, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that further administrative action may be taken; and Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this 31st day of August, 2009;

ORDERED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for further administrative action, and it is further ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in Melkonyan v. Sullivan, 501 U.S. 89 (1991).



Hon. Glenn T. Suddaby  
U.S. District Judge

The undersigned hereby consent to the form and entry of the within order.

ANDREW T. BAXTER  
Interim United States Attorney

*s/ Sixtina Fernandez*  
Sixtina Fernandez  
Special Assistant U.S. Attorney  
Bar No. 513910

Conboy, McKay, Bachman & Kendal, LLP

*s/ Peter L. Walton by S.F*  
Peter L. Walton, Esq.  
Attorney for Plaintiff